

JAMES G. KREISSMAN (Bar No. 206740)  
 jkreissman@stblaw.com  
 HARRISON J. FRAHN IV (Bar No. 206822)  
 hfrahn@stblaw.com  
 JASON M. BUSSEY (Bar No. 227185)  
 jbussey@stblaw.com  
 SIMPSON THACHER & BARTLETT LLP  
 2550 Hanover Street  
 Palo Alto, California 94304  
 Telephone: (650) 251-5000  
 Facsimile: (650) 251-5002

*Counsel for Defendants*  
 ELPIDA MEMORY, INC. and  
 ELPIDA MEMORY (USA) INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

|   |   |                                       |
|---|---|---------------------------------------|
| <i>Sun Microsystems, Inc., et al. v. Hynix Semiconductor, Inc., et al.</i>                                    | ) | Case No. C06-01665 PJH (Consolidated) |
| (Case No. C06-01665 PJH (Consolidated))   | ) | Case No. C06-02915 PJH                |
|   | ) | Case No. C07-01200 PJH                |
| <i>Unisys Corporation v. Hynix Semiconductor, Inc., et al.</i>  | ) | Case No. C07-01207 PJH                |
| (Case No. C06-02915 PJH)  | ) | Case No. C07-01212 PJH                |
|   | ) | Case No. C07-01381 PJH                |
| <i>Jaco Electronics, Inc. v. Hynix Semiconductor, Inc., et al.</i>  | ) |                                       |
| (Case No. C06-01212 PJH)  | ) |                                       |
| <i>Edge Electronics, Inc. v. Hynix Semiconductor, Inc., et al.</i>  | ) |                                       |
| (Case No. C06-01207 PJH)  | ) |                                       |
| <i>All American Semiconductor, Inc. v. Hynix Semiconductor, Inc., et al.</i>                                  | ) |                                       |
| (Case No. C06-01200 PJH)  | ) |                                       |
|   | ) |                                       |
| <i>DRAM Claims Liquidation Trust, by its Trustee Wells Fargo Bank, NA v. Hynix Semiconductor Inc., et al.</i> | ) |                                       |
| (Case No. C07-01381 PJH)  | ) |                                       |

**[PROPOSED] ORDER RE:  
 ATTENDANCE AT DEPOSITIONS  
 OF MIZUKI YOSHINO AND  
 TOSHIAKI HAGIWARA**

~~[PROPOSED]~~ ORDER

CASE NOS. C06-01665 PJH (CONSOLIDATED), C06-02915 PJH, C07-01200 PJH, C07-01207 PJH, C07-01212 PJH and C07-01381 PJH

TO ANY CONSUL OR VICE CONSUL OF THE UNITED STATES

UNITED STATES CONSULATE, OSAKA, JAPAN

THIS COURT HAS BY PRIOR ORDER AUTHORIZED YOU TO CONDUCT THE DEPOSITIONS OF WITNESSES MIZUKI YOSHINO AND TOSHIAKI HAGIWARA ON OR ABOUT OCTOBER 22, 2007 AND OCTOBER 23, 2007.

UPON APPLICATION BY DEFENDANTS ELPIDA MEMORY, INC. AND ELPIDA MEMORY (USA) INC. AND PURSUANT TO ARTICLE 17 OF THE UNITED STATES – JAPAN CONSULAR CONVENTION, COUNSEL FOR DEFENDANTS ELPIDA MEMORY INC. AND ELPIDA MEMORY (USA) INC. WHO WILL PARTICIPATE IN SAID DEPOSITIONS INCLUDE HARRISON J. FRAHN IV.

10/15/07

DATE

JOSEPH C. SPERO  
U.S. MAGISTRATE

SEATTLE

